IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1443 OF 2005

Shri Ramchandra Waman Jadhav. ..Petitioner.

V/s.

Sonubai R. Jadhav & Anr. ..Respondents.

Mr.Dilip Bodake for petitioner.

Smt.G.P.Mulekar, APP.

CORAM: A.M.KHANWILKAR,J

DATE : NOVEMBER 14, 2005.

P.C. :

1. Heard counsel for the petitioner. I see no reason to interfere with the discretionary order passed by the Court below. The attempt of the petitioner is to withdraw admission, which has already come on record. Court below has rightly taken view that it is not permissible to withdraw the admission, which has already come on record. No fault can be found with the said approach.

2. Counsel for the petitioner contends that petitioner may be given chance to adduce evidence to explain the statement which has already come on record, by way of admission. It will be open to the petitioner to persuade the trial court to permit the

petitioner to adduce evidence to clarify the position, if permissible by law. Such request if made, may be considered in accordance with the law. Accordingly, this petition should fail. Hence the same is dismissed. Record and proceedings be returned to the lower court immediately.